

REMARKS**Present Status of the Application**

In the Office Action, claim 25 is objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim. Claims 1, 9, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawauchi (US Patent No. 5,619,653; hereinafter "Kawauchi"), and further in view of Giroir et al. (US Patent No. 4,980,852; hereinafter "Giroir") and Carden, IV et al. (US Patent No. 6,802,066; hereinafter "Carden"). Claims 2, 10, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawauchi in view of Giroir and Carden and in further view of Fried et al. (US Patent No. 5,142,676; hereinafter "Fried"). Claims 3, 7-8, and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawauchi in view of Giroir and Carden and in further view of Fujimoto (US Patent No. 5,418,913; hereinafter "Fujimoto"). Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawauchi in view of Giroir and Carden and in further view of Balmer et al. (US Patent No. 5,724,599; hereinafter "Balmer").

After carefully considering the comments set forth in this Office Action and the cited references, Applicants have canceled claim 25 to overcome the claim objection. Regarding the obviousness rejections, it is however strongly believed that the cited references are deficient to adequately teach the claimed features as recited in the presently pending claims. The reasons that motivate the above position of the Applicants are discussed in detail hereafter, upon which reconsideration of the claims is most earnestly solicited.

Response to Objections to Claims

Claim 25 is objected to under 37 CFR 1.75(c) as being of improper dependent form for failing to further limit the subject matter of a previous claim.

In response thereto, Applicants have canceled claim 25 since the claim contains limitations found within the independent claim 9, upon which it depends. After entry of the foregoing amendments, it is respectfully submitted that the objection to the claims should be overcome.

Response to Claim Rejections Under 35 U.S.C. 103(a)

Claims 1, 9, and 21-22 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawauchi, and further in view of Giroir and Carden.

Claims 2, 10, and 23-25 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawauchi in view of Giroir and Carden and in further view of Fried.

Claims 3, 7-8, and 11-13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawauchi in view of Giroir and Carden and in further view of Fujimoto.

Claims 4-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kawauchi in view of Giroir and Carden and in further view of Balmer.

"Obviousness requires a suggestion of all limitations in a claim." *CFMT, Inc. v. Yieldup Int'l. Corp.*, 349 F.3d 1333, 1342 (Fed. Cir. 2003) (citing *In re Royka*, 490 F.2d 981, 180 USPQ 580 (CCPA 1974)). Applicants respectfully disagree that Kawauchi in

view of Giroir and Carden suggests all limitations in the independent claims 1 and 9.

After carefully considering the cited references, Applicants respectfully submit that Carden fails to teach at least the technical features “*wherein once the destination controller completes reading the message of the target message row in response to the read request, the distribution complete flag set by the write control unit and...are both cleared by the read control unit*” and “*wherein the distribution complete flag has not been cleared by the write control unit before being cleared by the read control unit*”.

The detailed action on page 6 indicated that Carden disclosed the use of a distribution complete flag as claimed in claim 1. However, according to Figs. 3-4 and col. 3, lines 24-36, Carden teaches that when the message content is stored in the slot in step 39, in step 41 “the message state is marked as ‘ready to be removed’”, that is to say the state ‘ready to be removed’ is analogous in the present application to the “write complete flag” but not the “distribution complete flag” as alleged in the detailed action. Although the “active inserter count” disclosed by Carden may be compared to the distribution complete flag, but according to Carden’s step 41, when a message is written in the slot and “ready to be removed” is marked, the active inserter count is also decremented by one at this time. From this description, Carden’s active inserter count is not only set by the sending process but also cleared by the sending process. By contrast, the distribution complete flag of the present invention is set by the write control unit, but cleared by the read control unit, and it is emphasized in the claim language that “*the distribution complete flag has not been cleared by the write control unit before being cleared by the read control unit*”. In other words, Carden has failed to teach the features “*wherein once*

*the destination controller completes reading the message of the target message row in response to the read request, **the distribution complete flag** set by the write control unit and...are both cleared by the read control unit” and “wherein the distribution complete flag has not been cleared by the write control unit before being cleared by the read control unit”.* Moreover, Carden’s active inserter count is implemented by a decrementing/incrementing scheme, whereas the present application utilizes a simpler flag scheme.

Additionally, Applicants disagree respectfully that Kawauchi disclosed the system of message rows, write control unit, and read control unit as claimed in claim 1 of the present application. Instead, Kawauchi teaches a buffer device 10 wherein only the internal mechanism of one of the transmission/reception terminal was disclosed. By contrast, claim 1 of the present application specifies transmission of messages through message rows between the source controller and the destination controller. Moreover, it is submitted that the detailed action’s comparison of Kawauchi’s controller 110 to both the write control unit and the read control unit, as well as the comparison of the plurality of buffers (b1-bn) in Kawauchi to the message rows of the present application are improper. In the instant application, the message rows are written by the write control unit and read by the read control unit. By contrast, in Kawauchi’s teachings, the buffer (b1-bn) are written and read by the same controller 110, but not another controller 110. Accordingly, Kawauchi has not taught the system of message rows, write control unit, and read control unit as set forth in claim 1 of the present application.

In light of the above, the teachings of Kawauchi, Giroir and Carden, whether alone

or in combination, failed to suggest all limitations of claims 1. Applicants respectfully submit that claim 1 stands non-obvious over the cited references. Moreover, claim 9 is also allowable based on the same grounds described above.

If an independent claim is non-obvious under 35 U.S.C. Section 103, then any claim depending therefrom is non-obvious. *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988). Since independent claims 1 and 9 are allowable, claims 2-8, 10-13, and 21-24 respectively depending directly or indirectly thereon should also be allowable, as a matter of law.

CONCLUSION

For at least the foregoing reasons, it is believed that all the pending claims 1-13 and 21-24 of the present application patently define over the prior art and are in proper condition for allowance. If the Examiner believes that a telephone conference would expedite the examination of the above-identified patent application, the Examiner is invited to call the undersigned.

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